

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – OFFICE OF CHIEF COUNSEL  
NOVEMBER 17, 2020**

**ITEM 4**

**SUBJECT**

CONSIDERATION OF A REVISED DRAFT WATER QUALITY ORDER REVIEWING THE LOS ANGELES WATER BOARD EXECUTIVE OFFICER'S APPROVAL OF NINE WATERSHED MANAGEMENT PROGRAMS AND ONE ENHANCED WATERSHED MANAGEMENT PROGRAM PURSUANT TO ORDER NO. R4-2012-0175.  
[SWRCB/OCC FILE A-2386, A-2477 & A-2508]

**DISCUSSION**

On December 6, 2019, the State Water Board issued a draft order responding to petitions by Natural Resources Defense Council, Inc., Heal the Bay, and Los Angeles Waterkeeper objecting to the Los Angeles Regional Water Board Executive Officer's approval of nine Watershed Management Programs (WMPs) and one Enhanced Watershed Management Programs (EWMP) pursuant to the Los Angeles Regional Water Board's Los Angeles Municipal Storm Water Permit, Order No. R4-2012-0175 (Los Angeles MS4 Permit). The State Water Board received written comments on the draft order and issued a second draft order on September 4, 2020 after considering those comments. The State Water Board also conducted a public workshop to receive oral comments on the second draft order. After considering those comments, the State Water Board has issued a final proposed order. The final proposed order largely upholds the approvals of the programs, but: (1) orders some requirements be implemented through changes to the existing Los Angeles MS4 Permit or as provisions in a reissued Los Angeles MS4 Permit, (2) orders the Los Angeles Regional Board to verify that WMP and EWMP participants have kept to their schedules, and (3) orders the WMP and EWMP participants to update their plans to comply with the requirements of the draft order by June 30, 2021 or lose the deemed-compliance benefits that the approved WMPs and EWMP provide.

**POLICY ISSUE**

This order is about ensuring that municipalities are meeting the rigorous standards the State Water Board expects of an alternative compliance program, as set forth in the State Water Board's Water Quality Order 2015-0075. It does not create a new program or change the State Water Board's stance on any issue; it reinforces and applies those expectations to the WMPs and EWMP.

**FISCAL IMPACT**

None.

**REGIONAL BOARD IMPACT**

Yes. Los Angeles Regional Water Board staff and leadership will be responsible for reviewing and approving or disapproving updates to the WMPs and EWMPs submitted to implement the requirements of this order and for submitting annual updates on program progress to the State Water Board.

**STAFF RECOMMENDATION**

Staff recommends adoption of the draft Water Quality Order.